

MICHAEL E. MCMAHON

13TH DISTRICT, NEW YORK

www.mcmahon.house.gov

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURECOMMITTEE ON
FOREIGN AFFAIRS**Congress of the United States****House of Representatives****Washington, DC 20515-3213**

March 2, 2010

0328

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Genachowski:

I have the honor and privilege of representing Staten Island and portions of Brooklyn, NY in the U.S. House of Representatives. I understand that Cablevision and The Walt Disney Company have been negotiating about the retransmission of WABC-TV in the greater New York market but may not reach an agreement before the imminent expiration of their current contract.

While these are private negotiations between two companies, I am writing to make sure that my constituents are not denied access to television programming. I am deeply concerned about reports that if an agreement cannot be reached, cable subscribers – including many of my constituents – will not be able to receive WABC-TV.

I urge you to make sure that neither company deprives cable subscribers of WABC-TV's broadcast signal while the two companies negotiate a mutually acceptable agreement.

Sincerely,



Michael E. McMahon
Member of Congress

cc: Mr. Robert Iger, Chairman and Chief Executive Officer, The Walt Disney Corp.
Mr. James Dolan, Chairman and Chief Executive Officer, Cablevision Systems Corp.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 20, 2010

The Honorable Michael E. McMahon
U.S. House of Representatives
323 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman McMahon:

Thank you for your letter concerning the negotiations for carriage of WABC-DT, a local broadcast television station owned and operated by the Walt Disney Company on cable television systems operated by Cablevision Systems Corporation.

I am pleased that Disney and Cablevision were able to reach a retransmission consent agreement, and WABC was restored to the approximately three million Cablevision subscribers in the New York City area. At the same time, I continue to be concerned about retransmission consent negotiations that interrupt or threaten to interrupt broadcast television service to consumers who subscribe to a multichannel video programming distributor (MVPD). In recent months, the breakdown or near breakdown in negotiations among several broadcasters and MVPDs have caused some to question whether the Commission's current retransmission consent policies have kept pace with changes in the marketplace. To address this concern, late last year I directed the Commission's Media Bureau to begin a review of the Commission's policies and regulations governing retransmission consent negotiations to determine whether the existing framework remains effective, or whether reforms may be necessary to protect consumers and ensure fairness to all parties.

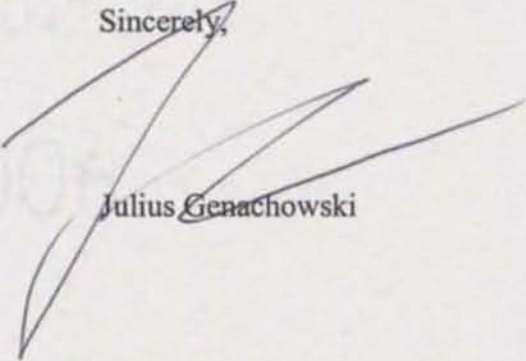
On March 9, 2010, a coalition representing a number of MVPDs and public interest groups submitted a *Petition for Rulemaking* seeking to reform the retransmission consent rules. Among other things, the *Petition* proposes that the Commission establish new mechanisms that provide for mandatory arbitration when a MVPD and the broadcaster are not able to reach a retransmission consent agreement, continued carriage of broadcast signals during the negotiation or dispute resolution process, and the adoption of rules to address the practice of tying broadcast programming to the carriage of nonbroadcast services. The Media Bureau has issued a *Public Notice* inviting public comment on the issues and proposals discussed in the *Petition*. I look forward to reviewing the comments filed in response to the *Notice*, as well as the Bureau's findings concerning its ongoing evaluation of the current retransmission consent regime. I

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appreciate your thoughts on the matter, as well, and will take them into account as the Commission examines the retransmission consent mechanism.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Julius Genachowski